

REMARKS

Claims 1, 7, 14 and 23 are currently pending. Claim 7 is cancelled and claims 14 and 23 are amended herein. Claim 14 is amended herein to depend from claim 1, rather than cancelled claim 7. Claim 23 is amended herein to clarify the scope of the claim. No new matter is added and entry is respectfully requested.

The Applicants note that previously presented claim 1 was not cited in any rejection of the present Office action. Accordingly, the Applicants assert that claim 1 is free of the cited art and presented in allowable form. Notification to that effect is respectfully requested.

Rejections under 35 U.S.C. § 112, First Paragraph

Claims 7, 14 and 23 stand rejected under 35 U.S.C. § 112, first paragraph, as purportedly not supported by an adequate written description. The Office specifically asserts that sufficient description is not present in the specification to support the “90% identical” claim limitation.

Claim 7 is cancelled herein and the “90% identical” claim limitation is not set forth in amended claim 23. As the previously presented claim 14 did not contain this limitation, the Applicants submit that the basis for rejecting this claim was its previous dependency from claim 7. The dependency of claim 14 is updated in light of the cancellation of claim 7. Accordingly, in light of the present claim amendments, the present rejection is rendered moot. Withdrawal is respectfully requested.

Claims 7, 14 and 23 stand further rejected under 35 U.S.C. § 112, first paragraph, as purportedly not enabled. The Office appears to be asserting that the present description does not enable the “90% identical” claim limitation.

Claim 7 is cancelled herein and the “90% identical” claim limitation is not set forth in amended claim 23. As the previously presented claim 14 did not contain this limitation, the Applicants submit that the basis for rejecting this claim was its previous dependency from claim 7. The dependency of claim 14 is updated in light of the cancellation of claim 7. Accordingly, in light of the present claim amendments, the present rejection is rendered moot. Withdrawal is respectfully requested.

Rejections under 35 U.S.C. § 102(a)

Claim 7 stands rejected under 35 U.S.C. § 102(a) as purportedly anticipated by Accession number Q9H720, as evidenced by Accession number AK025164.

Claim 7 stands further rejected under 35 U.S.C. § 102(a) as purportedly anticipated by Accession number AK025164.

Claim 7 is cancelled herein, thus rendering these rejections moot. Withdrawal is respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 511582003500.

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Respectfully submitted,

By 

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